

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4235

IN THE MATTER OF:

Served January 12, 1994

Application of M. S. MEDICAL)
TRANSPORTATION, a Partnership, for)
a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-93-38

By application filed November 17, 1993, M. S. Medical Transportation (MSMT or applicant), a partnership, seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

Notice of this application was served on November 19, 1993, in Order No. 4212, and MSMT was directed to publish further notice in a newspaper and file an affidavit of publication and a new projected operating statement. MSMT complied. The application is unopposed.

SUMMARY OF EVIDENCE

MSMT's application includes information regarding, among other things, its facilities, proposed tariff, finances, and regulatory compliance record.

MSMT proposes to commence operations with an 8-passenger van. MSMT's proposed tariff contains group charter rates, plus special operations rates for Medicaid and non-Medicaid passengers.

MSMT's managing partner certifies on its behalf that applicant has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire.

Applicant filed a balance sheet as of October 31, 1993, showing current assets of \$3,000; net fixed assets of \$6,492; and equity of \$9,492. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$65,000; operating expenses of \$38,628; and net income of \$26,372.

It is certified that neither MSMT nor any person controlling, controlled by, or under common control with MSMT has any control relationship with a carrier other than MSMT.

Applicant has filed a sworn affidavit in support of the application.

DISCUSSION AND CONCLUSION

This case is governed by the Compact, Title II, Article XI, Section 7(a), which provides in relevant part that:

. . . the Commission shall issue a certificate to any qualified applicant . . . if it finds that --

- (i) the applicant is fit, willing, and able to perform [the] transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and
- (ii) that the transportation is consistent with the public interest.

Based on the evidence in this record, the Commission finds MSMT to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. The Commission further finds that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

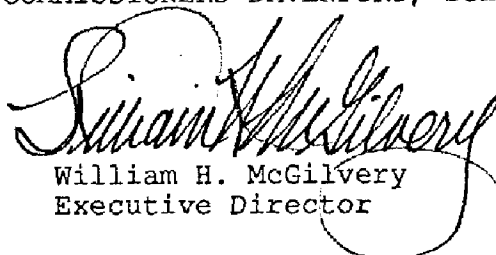
1. That M. S. Medical Transportation, 1335 P Street, N.W., Washington, DC 20005, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

2. That M. S. Medical Transportation, is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61, for which purpose WMATC No. 243 is hereby assigned.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 243 shall be issued to M. S. Medical Transportation.

4. That unless M. S. Medical Transportation, complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the Commission may direct or allow, the grant of authority herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director